

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DEVIN ALEXANDER

PETITIONER,

v.

JAMES T. WYNDER, ET AL.,

DEFENDANTS.

CIVIL ACTION

No. 07-510

ORDER

October 30, 2007

Upon consideration of (1) petitioner Devin Alexander's Motion for Equitable Relief (Docket # 4), pursuant to Federal Rule of Civil Procedure 60(b) or 28 U.S.C. §2243, from this court's March 12, 2007 Memorandum/Order dismissing petitioner's second or successive habeas corpus petition for lack of subject matter jurisdiction (Docket # 2), (2) the September 28, 2007 Report and Recommendation of Magistrate Judge Sandra Moore Wells (Docket # 6) , and (3) petitioner's Objection to the Report and Recommendation (Docket # 7), it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Petitioner's Motion for Equitable Relief is **DENIED**.

BY THE COURT:

Louis H. Pollak
/s/ Pollak, J.